Developing an Occupational Health and Safety Committee at Mines in British Columbia

Ministry of Energy, Mines and Petroleum Resources

Honourable Anne Edwards, Minister

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DEVELOPING AN OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

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Introduction

British Columbia's 1990 Mines Act and the Health, Safety and Reclamation Code for Mines in B.C. (hereinafter the Code) reflect the modern conditions in B.C.'s mining industry. The Code addresses the larger equipment, more complex chemical processes and new workplace hazards that are associated with new technology and mining techniques. It also recognizes the need for worker participation in ensuring healthy, safe and environmentally sound mining. One of the new features is the requirement for a joint management - worker Occupational Health and Safety Committee (OHSC) to be established at every mine.

Many mines already have well-established, effective and well-run Occupational Health and Safety Committees and this guide contains ideas and information learned from such committees. It is hoped that the guide will prove useful for the existing committees and also provide guidance for mines which are proposing to form new committees.

Purpose of the Committee

The purpose of the committee is to encourage all employees to share a common goal of improving health and safety in the workplace.

The committee provides a mechanism through which workers can contribute and provide insight into the formulation of health and safety policy and programs, the assessment of new facilities, equipment and processes, and the setting of safety goals and objectives.

The committee members should present to the manager a balanced view, which is in accordance with their combined experience gained as workers and supervisors, so as to achieve the common goal of health and safety in the workplace.

Committee Functions

The Occupational Health and Safety Committee should:

(1) provide advice and insight from a health and safety perspective with respect to the adequacy of work rules and practices, the planning of new or altered facilities or equipment, and the adequacy of new production processes and work methods;

(2) develop guidelines with respect to the setting of health and safety goals;

(3) assess the effectiveness of existing safety programs, including the use of workplace meetings and communications at the supervisor/worker level, and make appropriate recommendations;

(4) analyze accident and injury statistics, incident reports, and dangerous occurrences, and make recommendations;

(5) monitor the methods used to achieve safety objectives and make recommendations;

(6) review all applications for variances to legislation that could impact on health and safety of workers and make recommendations;

(7) conduct inspections of work sites as appropriate and discuss the findings; and

(8) review where appropriate the ramifications of the medical surveillance program as they affect employees.

All the elements above should be given the level of attention appropriate to the nature of the concerns which may exist at any one time at the mine.

Organizing the Committee

The Code states (Section 1.6.1):

"A joint management-worker Occupational Health and Safety Committee composed of management and an equal or greater number of worker representatives chosen by the workers, shall be formed at every mine, and such committee shall have

(1) at least one worker representative, if the number of workers regularly employed is less than 20,

(2) two or more worker representatives, if the number of workers regularly employed is 20 or more, and

(3) two co-chairpersons, one a worker representative and the other a management representative, and they may alternate chairing the meetings."

Committee members should be good communicators and team players, familiar with many aspects of mine operations, and have a keen interest in occupational health and safety.

If safety representatives are selected for the various operating areas at the mine (e.g. pit, processing plant, maintenance shops) on each shift, the committee members could then be drawn from these persons. This would provide a good cross-section of the various work areas and for each crew in the areas. It is also important that alternative committee members be designated in order to cover for shiftwork, vacations or other absences.

The committee should elect a secretary whose responsibilities are to take minutes of meetings, prepare agendas and assist the chairperson(s) before and during meetings. When typing and clerical services are required these should be provided by the employer.

The committee should draw up terms of reference which should include the following:

- Purpose of the committee
- Scope of representation
- Selection of members and alternatives
- Terms of office
- Committee function
- Meeting frequency
- Meeting attendance
- Special meetings
- Quorum requirements
- Order of business
- Conduct of the meeting
- Meeting minutes.

Committee Activities

To be effective and credible, the committee must promote an atmosphere of cooperation and should strive to reach a consensus on health and safety issues and make recommendations which are agreed to by the entire committee. The committee should adopt a very positive attitude in trying to resolve health and safety matters however contentious these may be. Such an approach will help to promote the interested participation by others employed at the mine.

When the committee fails to reach a consensus, the matter in question should be referred to the manager.

While it is mandated in the Code that the committee shall conduct inspections of the workplace and meet to discuss their findings, this is only one part of the committee's role and responsibility.

Other committee activities may be as follows:

- Participate in health and safety programs.
- Review work practices, methods and procedures.
- Examine training and information programs for existing and new work procedures.
- Review introduction of new equipment, and review new or revised work practices.
- Review implementation of Workplace Hazardous Materials Information System (WHMIS).
- Investigate dangerous occurrences and accidents causing injury.
- Discuss safety matters raised by employees and management.
- Assist in disseminating information to employees on new procedures.
- Assist when an employee exercises the right to refuse hazardous work - Section 1.10.1 of the Code.

Collectively, committee members should:

- Have a good knowledge of the legal requirements relating to health and safety aspects of mining and processing activities.
- Be aware of particular hazards of a work area or an operation and of the measures necessary to minimize or eliminate those hazards.
- Have a thorough understanding of company safety policy.

- Encourage management/employee consultation to develop necessary health and safety measures, and to monitor their effectiveness.

- Identify hazardous work practices or unhealthy working conditions, and recommend corrective action.

- Know how to carry out thorough inspections and investigations and prepare recommendations for action and/or improvements.

- Review accident and dangerous occurrence experiences published by the Ministry of Energy, Mines and Petroleum Resources and use such data to improve their own operations.

- Be open to suggestions for improvements in health and safety matters made by workers at all levels in the organization, and be prepared to act on those suggestions.

Inspections

The committee has a legislated responsibility under Section 1.6.2 of the Code to:

"(1) inspect as many of the work sites as it considers appropriate every month and as soon as possible after the inspection, meet to discuss its findings and any other matters concerning health and safety, and

(2) prepare minutes of the meeting in a form acceptable to the district inspector, including a description of conditions found during the inspection."

Further, Section 1.6.9 of the Code states:

"The manager shall not unreasonably withhold a request by the worker co-chairperson or his designate to accompany the inspector on his inspection."

The procedure for an inspection by an inspector is prescribed in Section 15 of the B.C. Mines Act as follows:

"(1) An inspector may inspect a mine at any time.

(2) An inspector shall, where he is making a health and safety inspection, on arrival at the mine, request the manager to arrange for the worker co-chairperson or designate and the management co-chairperson or designate, each to appoint a representative to accompany him on the inspection.

(3) Notwithstanding subsection (2), an inspector may perform the inspection without either or both management and worker representatives, but on completion of the inspection he shall meet with or otherwise communicate with each co-chairperson or their designate to discuss his findings and their occupational, health, and safety concerns, if any.

(4) An inspector shall complete his inspection report within 7 days and forthwith provide the manager, and, in the case of a health and safety inspection, the occupational health and safety committee and local union with a copy of his inspection report on its completion, and the report shall:

- list the workplaces inspected,
- list the infractions noted, and
- order remedial action and specify time limits for compliance.

(5) Where an inspector is of the opinion that a delay in remedying a hazard would be dangerous to persons or property, he shall issue an order:

- for immediate remedial action,

- to suspend regular work until remedial action is taken, or

- to close the mine or part of it until remedial action is taken.

(6) The manager shall, within 15 days after receiving the inspection report, submit a written report outlining the remedial steps taken and the work still outstanding and shall forthwith provide a copy to the district inspector and, in the case of health and safety matters, the occupational health and safety committee and the local union."

Monthly inspections should not be simply an examination of housekeeping matters. The inspection should concentrate on the way tasks are performed, the suitability of equipment, the adequacy of worker training, and the general working environment. Tasks being performed should be observed over a period of time to determine that the procedures followed reflect those prescribed for them.

During an inspection, it should be possible to determine whether a deficiency lies with the design of the work system or results from incorrect operating procedures, unsuitable equipment and/or from the working environment.

It is important to record the findings during an inspection in a standardized manner - see Appendix A for a suggested format.

Any deficiencies found during an inspection should be reported immediately to the area supervisor if he or she is not accompanying the committee. If the corrective action taken is not to the satisfaction of the committee it should be included on the agenda for the meeting held to discuss the findings of the inspection. This would also apply to items that have not received attention requested on an earlier inspection.

Accident Investigations

Sections 1.6.4 and 1.6.5 of the Code state:

"The OHSC co-chairpersons or their designates shall participate in the investigation of reportable accidents and dangerous occurrences in accordance with section 1.7.1."

"The OHSC co-chairpersons or their designates shall be informed of accidents that cause injuries which require medical aid and, if they deem it necessary, they shall participate in the investigation."

Section 1.7.1 defines a reportable accident as any accident causing loss of life or serious personal injury. A dangerous occurrence is defined under Section 1.7.3 of the Code, and a list of these is given in Appendix B. The purpose of reporting dangerous occurrences to the Ministry is to share the experience industry-wide, and ultimately to reduce accident rates. Much debate occurs concerning what constitutes a reportable incident. The preferred approach is for the committee to develop an incident report form and track the frequency so corrective action can be recommended.

An accident investigation involves visiting the site of the accident, obtaining the facts, assessing hazards at the scene, interviewing witnesses, viewing pertinent reports, determining the cause of the accident and making recommendations to correct the problem. The committee investigation must not interfere with any investigation of the district inspector and, in the event of a fatality, the police.

Appendix C illustrates a possible format for recording details of an accident or dangerous occurrence.

Further, the Code prescribes in Section 1.7.4 the following:

> "The manager shall at the end of each month
>
> (1) forward a report in a form prescribed by the chief inspector to the district inspector and the OHSC on all accidents that caused injuries requiring medical aid, and
>
> (2) provide the OHSC with a report of all reported first aid cases."

Such information may form the basis of discussion at subsequent committee meetings from which recommendations may be made to the manager regarding suggested methods to reduce such accidents.

Handling Worker Complaints

Workers should be instructed that complaints concerning health and safety must be discussed initially with supervisory staff. If the matter cannot be satisfactorily resolved in this way, only then should a member of the OHSC become involved. The committee member should work with the supervisor to try to resolve the complaint, but it may be necessary to refer the matter to the committee for their collective input and recommendations. It is important that a committee member keep in touch with the worker(s) who made the complaint regarding the recommendations and the proposed action by management.

Right to Refuse Hazardous Work

The Code Sections 1.10.1 to 1.10.5 state:

> "A person shall not carry out any work or operate any equipment, tool, or appliance if he has reasonable cause to believe that to do so would create an undue hazard to the health or safety of any person.

A supervisor shall not knowingly perform or permit a worker to perform work which is, or could create, an undue hazard to the health or safety of any person.

A person who refuses to carry out any work or operate any equipment, tool, or appliance, in compliance with section 1.10.1, shall forthwith report the circumstances to his supervisor.

The supervisor receiving a report under section 1.10.3 shall forthwith investigate the matter and ensure that any hazardous condition is remedied without delay; or if, in his opinion the report is not valid, he shall inform the person who made the report.

If the procedure provided for in section 1.10.4 fails to resolve the issue and the person continues to refuse to carry out the work, the supervisor shall make an investigation in the presence of the person who made the report, together with another person having knowledge of the work in question and who is

(1) a worker representative or designate of the OHSC if available, or

(2) designated by the local union to represent the person refusing to carry out the work, or

(3) a co-worker selected by the person refusing to carry out the work."

A committee member, who is called upon to participate in the process, should try to ensure that the focus of the problem is kept to the health and safety issues related to the problem.

Section 14 of the Mines Act prescribes that when the Chief Inspector of Mines has made an investigation into an alleged case of discrimination against an employee, he shall provide a copy of his findings to the manager and occupational health and safety committee, and the local union, if any.

The Committee Meeting

Purpose

Regular committee meetings allow worker and management representatives to discuss and resolve workplace health and safety issues in a cooperative setting. Such issues may arise out of workplace inspections, accident and/or dangerous occurrence investigations, introduction of new equipment, methods or types of training, processes or work procedures, investigation of worker complaints, review of a proposed variance, or possible consultation with specialists.

Agenda

The agenda for the meeting should be prepared and distributed by the co-chairpersons in advance of the meeting. An agenda is essential for the success of the meeting because it provides the following information:

- The time and place of the meeting.
- Items of business, listed in the order they are to be considered by the committee.

This ensures that committee members can study the items in advance of the meeting, and business items should then be dealt with in a thorough and orderly manner.

(An example of an agenda is given in Appendix D.)

Conducting the Meeting

Health and safety committee meetings should be driven by the need to develop a consensus concerning solutions to problems.

Meetings should be structured and ordered so that they are productive. The co-chairpersons need to do some organizing and planning before the meeting to ensure that committee members are given time to contribute topics for discussion, in accordance with the time limits set down in the committee terms of reference or by mutual agreement of the members.

The items on the agenda should be carefully considered by the co-chairpersons before the meeting, and the necessary reports and files arranged for easy reference. Where feasible, copies of reports should be provided to members prior to the meeting so that they have an opportunity to read and digest the contents beforehand. The ability to locate material quickly for a meeting results in a well-organized and fruitful session.

The meeting co-chairpersons must remain impartial in discussions, maintain order in considering one topic at a time, recognize the right of members to express themselves and ensure equitable treatment for all members.

The aim should be to develop solutions by consensus. The co-chairpersons should make every attempt to arrive at a consensus to bring issues to a conclusion.

The co-chairpersons are responsible for keeping the meeting focused, curbing any irrelevant talking, following the agenda and bringing the meeting to a close on a positive note. In the course of a meeting it may be appropriate to arrange for a break if there is a strong disagreement, then use this time to try to mediate between the parties in a more personal manner.

The Minutes

The format for recording the minutes, especially those that relate to an inspection, should be decided by the committee and have the concurrence of the district inspector of

mines. Minutes should be brief and factual, provide an accurate record of the meeting, indicate the action required, who is responsible for the follow up action, and set deadlines.

It is preferable to assign a specific number to each item in the minutes, and such numbering should be continuous from meeting to meeting, because this saves time, confusion, and frustration and highlights matters remaining to be done. An example of a format for recording minutes is given in Appendix E for guidance. The minutes of the meeting should be prepared as quickly as possible after the meeting and copies shall be given to the mine manager, committee members and to the local union. Others shall be posted in work areas to inform people of the decisions and actions recommended. The co-chairpersons should make sure that there is no doubt as to the decisions and recommendations made by the committee so that the information posted is accurate and reflects the committee view.

Training of Committee Members

At mines where 20 or more workers are regularly employed the manager shall arrange for an inspector of mines or other qualified person to provide the committee with three training sessions per year. It is hoped, however, that a part of every meeting will be used for education. Talks could be given on specific items by committee members with expertise in certain topics, and other specialists could be invited to discuss equipment, materials, processes or new procedures. (The Ministry of Energy, Mines and Petroleum Resources has specialists in the fields of mechanical, electrical, and geotechnical engineering, as well as industrial hygiene.)

When committees are formed, and when new members join the committee, it is instructive to learn how successful committees operate. To assist in such training, there are videotapes available in the library of the Resource Management Branch of the Ministry of Energy, Mines and

Petroleum Resources. The use of a video to record a meeting is also recommended as part of the learning process to make the committee more effective.

The training program for the committee may also include workers and supervisory personnel who have expressed interest in the work of the committee. The knowledge gained by such persons will reinforce the work of committee members throughout all the work areas of the mine.

For mines with less than 20 workers it is recommended that the manager seek the advice of the district inspector on training for the committee members. It should be recognized that it is important to have a committee at smaller operations performing to as high a standard as possible.

An Effective and Credible Committee

Committee members should be given training in dispute resolution and how to resolve contentious issues. Such training could be obtained through the Justice Institute in Vancouver, the University of Victoria Institute of Dispute Resolution, or Dispute Resolution Centres in Victoria, North Vancouver and White Rock. The value of this training is that it will help create a more understanding and tolerant attitude between members and produce more positive recommendations from the committee.

Committee members must not bypass or attempt to bypass the established channels of supervision and control. Equally, it is important that any health and safety matter be dealt with at the place of work, because when a dangerous condition arises it should be a matter for immediate attention through normal supervisory channels.

Section 1.6.6 of the Code requires that "The manager and all persons working at the mines shall cooperate fully with the OHSC...". With the level of cooperation clearly stated, the members of the committee should make every attempt

to develop a very positive rapport with workers and all levels of management.

The committee should set up a system to measure its effectiveness in achieving its goals and objectives. By this means the committee could enhance their sense of purpose if the findings are positive, but equally if it is determined that their goals and objectives have not been realized, they can re-examine their goals and mandate and make any necessary changes.

The committee members must keep workers informed of progress in the handling of complaints or suggestions until the matters have been resolved.

The committee should have a problem-solving attitude and enthusiasm to pursue matters to a successful conclusion without outside involvement of the Ministry. The process may often be frustrating but it will invariably be challenging and bring its own satisfaction.

Appendix A

JOINT OCCUPATIONAL HEALTH AND SAFETY INSPECTION

Name of Mine:

Date: Activity:
Inspection by:

Area	Item Noted and Number	Perceived Hazard	Action Requested	Completion Date	Responsibility

Appendix B

LIST OF DANGEROUS OCCURRENCES AS DEFINED IN SECTION 1.7.3 OF THE HEALTH, SAFETY AND RECLAMATION CODE FOR MINES IN B.C.

"(1) unexpected major groundfall or subsidence, whether on surface or underground, which endangers people or damages equipment or poses a threat to people or property,

(2) cracking or subsidence of a dam or impoundment dike; unexpected seepage or appearance of springs on the outer face of a dam or dike; loss of adequate freeboard , washout or significant erosion of a dam or dike, any of which might adversely affect the integrity of such structures,

(3) an accident involving a mine hoisting plant and including sheaves, hoisting rope, shaft conveyance, shaft, shaft timber, or headframe structure,

(4) unexpected inrush of water, mud, slurry or debris,

(5) premature or unexpected explosion of explosives, gas, or any dust,

(6) significant inflow or release of explosive or other dangerous gas,

(7) unplanned stoppage of the main underground ventilation system,

(8) a mine vehicle going out of control,

(9) outbreak of fire if it endangers persons or threatens equipment and all underground fires,

(10) electrical equipment failure or incident that causes or threatens to cause injury to persons or damage to equipment or property, and

(11) any other unusual accident or unexpected event which had the potential to result in serious injury."

Appendix C

ACCIDENT INVESTIGATION REPORT

In conducting an accident investigation, the following should be considered:

Description of accident site:
(sketches & measurements are recommended; photographs also)

Description of activity at time of accident:

- Was there a safe work procedure for work performed?
- Was person properly trained?
- What was form of supervision?
- Were clear instructions given?

Analysis of evidence:

- What happened?
- How did it happen?

Recommendations to prevent a similar occurrence in the future:

Appendix D

COMMITTEE AGENDA

Name of Mine:
Date of Meeting:
Time of Meeting:
Place:

1. Roll call of members present and absent, any guests.

2. Adopt minutes of previous meeting (as circulated), correcting any errors or omissions. (Proposer and seconder.)

3. Matters arising out of the minutes.

4. New business - this will list items for discussion.

5. Inspections and investigations.

6. Review of accident statistics.

7. Training matters.

8. Any other business.

9. Adjourn.

[The meeting should be scheduled to last a specific time, if there is unfinished business it may be necessary to call a further meeting.]

Appendix E

OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MINUTES

Date:

Name of Mine:

Members Present:

Guests:

Minutes of last meeting (-date-) read and adopted.

Business arising out of minutes:

(1) 91-10-01	Repairs to guard at tailend conveyor #C-4	Completed.
(2) 91-10-04	Exhaust required for welding fumes behind maintenance shop office.	In progress.
(3) 91-10-09	"P" pit access road to #5 shovel requires grading and widening.	Completed.
(4) 91-10-12	Runaway lane required on haul road to north #4 dump.	Site selected, in progress.

Committee recommends that item (4) be completed before onset of cold weather.

Appendix E (cont'd.)

New Business:

Committee Inspection:

(1) 91-11-01	#4 drill air conditioner not functioning.	Work order issued, to be completed in one week.
(2) 91-11-02	Grinding wheel in small truck shop requires protective hood and a dust exhaust system.	Taken out of service, order issued for new hood & exhaust system.
(3) 91-11-03	Back up alarms not working on units HS 104, 107 and 109.	Trucks taken out of service until repairs made.
(4) 91-11-04	Dust extraction system not working on #8 conveyor.	Order for work issued for completion in one week.
(5) 91-11-05	Review required of the ventilation in the Assay Lab.	Report to be prepared within five days.

Pit Operations:

Review of dumping procedures and role of dump supervisor.

Electrical:

The new lock out procedures to be reviewed as requested by the manager.

Industrial Hygiene:

Noise levels in the primary crusher were found in excess of allowable limits. The types of personal protection issued should be examined for suitability. Suggest manager should invite Environmental Control Inspector to talk to the committee regarding these concerns.

Accident Statistics:

There has been a noticeable increase in stumbling and falling accidents. More attention to be paid on next inspection to housekeeping in areas where these have occurred.

Training:

The training of new employees in WHMIS is now proceeding satisfactorily following the return to work of the safety controller responsible. It is suggested that an additional person be trained to provide the WHMIS training in the absence of the safety controller.

Other Matters:

The chairperson suggested that the manager be asked to invite the District Inspector of Mines to talk about the new Guidelines for Mine Rock Dump operations with the person responsible for this work.

Appendix E (cont'd.)

Next Meeting:

December 18, 1991, at 2:00 p.m. in the Process Plant training room.

Meeting Adjourned - 4:30 p.m.

Signed:_____
Chairperson

Signed:_____
Co-Chairperson